

UNITED STATES OF AMERICA ,) CRIMINAL NOS: 3:19-cr-00426-TLW
)
)
 vs.)
)
 RANDALL SCOTT ,)
)
 Defendant.)

The above-named defendant, by and through his undersigned counsel, moves this Court pursuant to F.R.Cr.P. 16 to order the U.S. Attorney to produce and permit Defendant to inspect, copy or photograph each of the following, now known to or in the possession of the government, or any of it's agents or which through diligence would become known from investigating officers, or witnesses or persons having knowledge:

1. Any and all tangible objects obtained during the investigation in this case, including:
 - (a) tangible objects obtained from Defendant's person or effects;
 - (b) tangible objects obtained from the person or effects of co-Defendants;
 - (c) tangible objects obtained from the person, effects, or vehicle driven by codefendant(s).
2. All other books, papers, documents or tangible objects the government plans to offer in evidence.

3. Any and all other books, papers, documents, or tangible objects upon which the government relied in returning the Indictment against Defendant, or which the government plans to offer as evidence in this case.
4. Any and all property in the possession of the government or it's agents or seized by them, belonging to or alleged by the government to belong to Defendant.
5. Any and all fingerprint impressions, blood samples, clothing, hair, fiber or other materials obtained by whatever means or process from the scene of the offense, the defendant or codefendants, or the vehicle occupied by any one of the defendants or co-defendants, or those of some other person known or unknown.
6. Any and all comparisons of blood, fingerprints, clothing, hair, fiber or other materials made in connection with this case.
7. The written report of any chemical analysis of the alleged plant material seized herein, prepared by the government or any of its agents or anyone at its direction, together with any description, test results, test dates, and any determination as to the nature or weight of said substance.
8. Any and all results of physical or mental examinations.
9. Any and all statements, confessions or admissions made by the Defendant whether written or oral, subsequently reduced to writing, or summarized in officer's reports, or copies thereof, within the possession, custody or control of the government, the existence of which is known or by the exercise of due diligence may become known the U.S. Attorney. This request includes statements made to witnesses other than police officers at any time

Defendant was in custody as well as the precise words attributed to the Defendant which caused government agents to conclude that defendant was 'associated' with other codefendants.

10. Any and all documents, instruments, forms or statements of any kind signed or purported to have been signed by the defendant.
11. Any and all statements of co-defendants whether written or oral, subsequently reduced to writing or summarized in officer's reports or copies thereof, within the possession, custody or control of the government, the existence of which is known or by the exercise of due diligence may become known to the U.S. Attorney.
12. Any and all names and addresses of persons who have knowledge pertaining to this cause or who have been interviewed by the government in connection with this case. 13. Any and all FBI and local arrest and conviction records of all persons the government plans to call.
14. Written statements of all persons that the government does not plan to call as a witness to trial.
15. The transcript of testimony of any and all persons who testified before the Grand Jury in this case.
16. The name, identity and whereabouts of any informer who gave information leading to the arrest of Defendant, or co-defendants, and whether said informant was paid by the government for such information.
17. Any and all material now known to the government, or which may become known, or which through due diligence may be learned from investigating officers or the witnesses or persons having knowledge of this case, which is exculpatory in nature or favorable material or which might serve to mitigate punishment, and including any evidence impeaching or contradicting testimony of government witnesses or instructions to government witnesses not to speak with or discuss the facts of the case with defense counsel.
18. The Defendant further moves for:

(a) Disclosure of Existence and Substance of Promises of Immunity, Leniency or Preferential Treatment.

(b) Production of Statements by Co-Defendants and Co-Conspirators.

(c) Disclosure of Electronic Surveillance and for a Full Investigation of Surveillance.

(d) Disclosure of Names, Addresses and Criminal Records of Witnesses.

(e) Disclosure of Grand Jury Proceedings.

(f) Early Production of Jencks Material.

(g) Government Agents and Attorneys to Retain Rough Notes and Writings.

(h) Leave to File Additional Motions.

(i) Rule 12 Evidence.

(j) Access to Prospective Government Witnesses.

(k) Disclosure of Rule 404 Evidence.

(l) Divulgence of Brady Material.

WHEREFORE, Defendant moves this Court to order production of the above-described items, and for such other and further relief as this Court deems just and proper.

[SIGNATURE PAGE TO FOLLOW]

Respectfully Submitted,

/s/ J. Todd Rutherford
J. Todd Rutherford, Federal ID # 12097
Attorney for Defendant

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Columbia, South Carolina
This 3rd day of May 2019

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA)	CRIMINAL NOS: 3:19-cr-00426-TLW
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)	
vs.)	
)	
)	
)	
RANDALL SCOTT)	
)	
<u>Defendant.</u>)	

J. Todd Rutherford, being first duly sworn, says that he is the attorney for the Defendant, with offices at 2113 Park Street, Columbia, South Carolina, 29201; that on June 3, 2019, I served a true and correct copy of the MOTION FOR DISCOVERY via the Court's electronic filing system, however, if that means failed, then by U.S. Postal Service to the following individual(s):

Tommie DeWayne Pearson dewayne.pearson@usdoj.gov, CaseView.ECF@usdoj.gov,
laura.edwards@usdoj.gov, tammy.bott@usdoj.gov, USA-SC-ECF-Docket-M@usdoj.gov, USA-SC-ECF-FLU@usdoj.gov, USA-SC-ECF-VW-COL@usdoj.gov

/s/ J. Todd Rutherford
J. Todd Rutherford